

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, et al.,)	
)	
Plaintiffs,)	
v.)	No. 1:23-cv-00108-LMB-JFA
)	
GOOGLE LLC,)	
)	
Defendant.)	

PLAINTIFFS’ UNOPPOSED MOTION TO AMEND PLAINTIFFS’ EXHIBIT LIST¹

Plaintiffs move to amend Plaintiffs’ Exhibit List to add the following exhibits: (1) GOOG-AT-MDL-B-007778984, an audio recording identified by Google on July 3, 2024 as a hyperlinked document associated with PTX-0751 (GOOG-DOJ-11692120); (2) a certified transcript of that recording, which Plaintiffs are in the process of preparing; and (3) GOOG-AT-MDL-B-007779357, a December 2020 Google presentation entitled “Do Display and Video Campaigns boost Search performance?” identified by Google on July 3, 2024 as a hyperlinked document associated with PTX-1012 (GOOG-DOJ-AT-00330626).

The proposed Amended Exhibit List is attached hereto as **Exhibit A**.

Local Rule 16 provides that parties can seek to amend scheduling orders upon a showing of good cause.

Plaintiffs timely filed Plaintiffs’ Trial Exhibit List on July 5, 2024, in accordance with this Court’s Order of June 24, 2024 (ECF No. 871). As noted on the cover page of Plaintiffs’ Trial Exhibit List, Plaintiffs reserved the right to seek the Court’s leave to amend their exhibit list after completing their review of linked document information provided by Google on July 3, 2024.

¹ Plaintiffs reserve the right to seek the Court’s leave to further amend their exhibit list.

On July 3, 2024, and two days prior to the deadline for filing trial exhibit lists, Google stated in a letter to Plaintiffs that a recording hyperlinked to PTX-0751 (GOOG-DOJ-11692120) was produced to Plaintiffs as GOOG-AT-MDL-B-007778984 and that a document hyperlinked to PTX-1012 (GOOG-DOJ-AT-00330626) was produced to Plaintiffs as GOOG-AT-MDL-B-007779357.

Good cause exists because the exhibits are relevant to Plaintiffs' claims and hyperlinks are contained in exhibits that already appear on Plaintiffs' Trial Exhibit List.

Upon review of the material referenced in Google's July 3, 2024 letter, including the aforementioned recording, Plaintiffs promptly informed Google's counsel of its intention to request leave to amend Plaintiffs' Trial Exhibit List. Google has indicated that it does not oppose this motion.

(See following page for signatures.)

Dated: July 23, 2024

Respectfully submitted,

JESSICA D. ABER
United States Attorney

/s/ Gerard Mene
GERARD MENE
Assistant U.S. Attorney
2100 Jamieson Avenue
Alexandria, VA 22314
Telephone: (703) 299-3777
Facsimile: (703) 299-3983
Email: Gerard.Mene@usdoj.gov

/s/ Julia Tarver Wood
JULIA TARVER WOOD
/s/ Kelly D. Garcia
KELLY D. GARCIA
AARON M. TEITELBAUM
United States Department of Justice
Antitrust Division
450 Fifth Street NW, Suite 7100
Washington, DC 20530
Telephone: (202) 307-0077
Fax: (202) 616-8544
Email: Julia.Tarver.Wood@usdoj.gov

Attorneys for the United States

JASON S. MIYARES
Attorney General of Virginia

/s/ Tyler T. Henry
TYLER T. HENRY
Assistant Attorney General

Office of the Attorney General of Virginia
202 North Ninth Street
Richmond, VA 23219
Telephone: (804) 692-0485
Facsimile: (804) 786-0122
Email: thenry@oag.state.va.us

Attorneys for the Commonwealth of
Virginia and local counsel for the
States of Arizona, California,
Colorado, Connecticut, Illinois,
Michigan, Minnesota, Nebraska,
New Hampshire, New Jersey, New
York, North Carolina, Rhode
Island, Tennessee, Washington, and
West Virginia